

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CHICAGO REGIONAL COUNCIL OF CARPENTERS,)	
UNITED BROTHERHOOD OF CARPENTERS AND)	
JOINERS OF AMERICA,)	
)	Case No. 08 C 471
Plaintiffs,)	
)	Judge Lindberg
vs.)	
)	Magistrate Judge Ashman
A&E CONTRACTING, INC.,)	
)	
Defendants.)	

MOTION FOR DEFAULT

Plaintiff, by its attorney, Amy Elizabeth Paluch Epton of Whitfield McGann & Ketterman, moves this Honorable Court to enter Judgment by Default according to Fed. R. Civ. P. 55 for Defendant's failure to appear, answer or otherwise plead. Further, in support of this Motion the Plaintiff states:

1. Plaintiff filed its complaint on January 22, 2008 and the summons and complaint was served on registered agent, Adam Fiala, on March 2, 2008 by the Process Server. **(Exhibit A, Affidavit of Service)** Corporate service was also perfected on February 26, 2008. **(Exhibit B)**

2. The Defendant has failed to appear, answer or otherwise plead within the time allowed by the Fed. R. Civ. P.

3. At all times relevant to this action, the Defendant has been bound by the provisions of a Collective Bargaining Agreement with Plaintiff, by signing that Agreement on July 1, 2007.

4. Subsequent to Defendant signing the Agreement, the Union learned of wage claims against Defendant for Union members David Bachman, Larry Carroll, Gary Conner, Lawrence Noga and Eric Stolfa.

5. The Union demanded arbitration of this claim, in accordance with the grievance and arbitration procedures contained in the Agreement.

6. On January 7, 2008 the Arbitrator assigned to hear the claims issued an award in favor of the Union and against Defendant for the claim. **(Exhibit C)**

7. Defendant has failed to comply with the terms of the award issued by the Arbitrator.

WHEREFORE, Plaintiffs pray that their motion for judgment by default be granted in the amount of \$8,679.71.

Respectively submitted,

/s/ Amy Elizabeth Paluch Epton
Attorney for the Trustees of the
Chicago Regional Council of Carpenters
Pension Fund, et al.

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